CLASSIFICATION OFFICE DECISION

Title of publication:	duhwci13mg
Other known title(s):	Not stated
OFLC ref:	1900573.040
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	28 July 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	27 July 2020

Summary of reasons for decision:

The image file is classified objectionable because it exploits the nudity of children to such a degree that its availability would be injurious to the public good. The image depicts young boys who have been unknowingly sexualised by being photographed naked by a covert photographer. The voyeuristic tone of the image is intended to titillate the viewer and presents children as appropriate subjects for adult sexual attention. The image also encourages the crime of creating intimate visual recordings as it is reasonably expected that pictures are not taken of people while they are changing in changing rooms. The objectionable classification impedes on the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990, however it is reasonable and justified to prevent injury to the public good. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.